



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,888	11/01/2000	Peter C. Berkman	SOFTECP.014A	2809

7590 12/15/2003

Knobbe Martens Olson & Bear LLP
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660

EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 12/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,888

Applicant(s)

BERKMAN ET AL.

Examiner

Kevin Bates

Art Unit

2155

-- Th MAILING DATE of this communication appears on th cover sheet with the corr spondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 5, 6. 6) ☐ Other: _____

DETAILED ACTION

The declaration was received on March 5, 2001

Information Disclosure Statement

The information disclosure statements (IDS) submitted on March 5, 2001, March 26, 2001, and August 24, 2002 considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2-5, 8, 16-18, 21-28, 30-35, and 40-41 are rejected under 35

U.S.C. 102(b) as being anticipated by Yu (6351775).

Regarding claims 2 and 16, Yu discloses a method of centrally managing distributed components (Column 6, lines 31 – 36) and dynamically implementing configuration information related to the distributed components in a distributed enterprise application system (Column 4, lines 17 – 20), the method comprising: storing in a first computer system a central registry database including configuration information related to distributed components (Column 8, lines 27 – 32) wherein the distributed components are located in remote computer systems (Column 6, lines 6 – 9); receiving requests from the distributed components for configuration information updates (Column 9, lines 52 – 54); determining configuration changes to be implemented in response to the requests (Column 10, lines 51 – 65); modifying the central registry database to

reflect at least a portion of the configuration changes (Column 9, lines 63 – 66; Column 10, lines 51 – 65); allocating the configuration changes to the corresponding distributed components; and transferring the configuration changes to the corresponding distributed components wherein the configuration changes are implemented in the corresponding distributed components (Column 9, lines 48 – 50).

Regarding claim 23, Yu discloses a distributed enterprise application integration system used to centrally manage distributed components (Column 6, lines 31 – 36) and to permit dynamic implementation of configuration data to the distributed components (Column 4, lines 17 – 20), the distributed enterprise application system comprising: a central control module stored in a first computer, the central control module including a central registry database used to store configuration data about a distributed enterprise application system (Column 8, lines 27 – 32), wherein the central control module is configured to process requests for component configuration updates (Column 9, lines 52 – 54), process changes for the central registry database (Column 9, lines 63 – 66; Column 10, lines 51 – 65), and forward component configuration data to a plurality of distributed components; and a plurality of distributed components including corresponding component control modules (Column 9, lines 48 – 50), the plurality of distributed components stored on a plurality of computers (Column 6, lines 6 – 9), wherein the plurality of distributed components are configured to perform data related and messaging activities in compliance with component configuration data (Column 8, line 66 – Column 9, line 10), and wherein the component control modules are configured to implement component configuration data and communicate with the

Art Unit: 2155

central control module to receive component configuration data (Column 8, lines 59 – 61; Column 9, lines 48 - 50), send requests for component configuration updates (Column 9, lines 40 – 42), and send changes to the central registry database (Column 9, lines 35 – 36).

Regarding claim 28, Yu discloses a distributed, multi-platform application integration system comprising: a central host including a central registry system (Column 8, lines 27 – 32); a plurality of application hosts including corresponding control brokers wherein the control brokers are configured to communicate with the central registry system to receive configuration data (Column 8, lines 59 – 61; Column 9, lines 48 - 50); and a plurality of multi-platform applications corresponding to the plurality of application hosts wherein the plurality of multi-platform applications are configured to communicate via the plurality of application hosts in accordance with the configuration data (Column 8, line 66 – Column 9, line 10).

Regarding claim 40, Yu discloses a method for integrating distributed applications comprising: managing requests for configuration changes from at least a first source (Column 9, lines 40 – 42); collecting configuration change information from a plurality of sources related to the requests for configuration changes (Column 9, lines 51 – 54); and disseminating the configuration change information related to the requests for configuration changes to a plurality of distributed components servicing distributed applications wherein at least a first application is executed on a first operating system and a second application is executed on a second operating system wherein the first

operating system and the second operating system are not the same operating system (Column 8, lines 27 – 32).

Regarding claim 41, Yu discloses a method for integrating distributed applications comprising: sending requests for data-related and messaging-related configuration changes from a first host to a central host (Column 9, lines 44 – 46); receiving at the first host configuration change information from a central host related to the requests for configuration changes (Column 9, lines 52 – 54); and implementing at the first host data translation and messaging configuration changes according to the configuration change information (Column 9, lines 66 – 67).

Regarding claims 3, 17, 24, and 34, Yu discloses that the configuration information includes, at least one of, load balancing, data mapping, data translation, routing, formatting, scheduling, collaborations, and message identification (Column 9, lines 64 – 66).

Regarding claims 4, 18, 25, and 35, Yu discloses that the configuration information includes, at least load balancing (Column 9, lines 64 – 66), data mapping (Column 6, lines 16 – 17), data translation (Column 7, lines 34 – 38), routing (Column 6, lines 11 – 12), formatting (Column 6, lines 59 – 65), scheduling (Column 10, lines 56 – 59), collaborations (Column 7, lines 30 – 32), and message identification (Column 7, lines 5 – 8).

Regarding claims 5, 21, 26, and 30, Yu discloses that the central registry database communicates with a plurality of subordinate registry databases, and the plurality of communication with the distributed components subordinate registry

Art Unit: 2155

databases are in communication with the distributed components (Column 8, lines 10 – 13; Column 8, lines 24 – 26).

Regarding claims 8, 22, 27, and 31, Yu discloses that the central registry database communicates with a plurality of duplicate registry databases, wherein the plurality of duplicate registry databases are in communication with the distributed components (Column 8, lines 10 – 13; Column 8, lines 24 – 26).

Regarding claim 32, Yu discloses that the central registry system includes: a central registry database that is configured to store configuration information about the plurality of application hosts (Column 8, lines 27 – 32); and a central registry service that is configured to communicate configuration updates to the plurality of application hosts (Column 9, lines 48 – 50).

Regarding claim 33, Yu discloses that the control broker includes: a local registry database that is configured to store configuration information about at least one of the plurality of application hosts; and a monitoring module that is configured to monitor the application host (Column 8, lines 20 – 26).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-11 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu in view of Nilsen.

Regarding claim 9, Yu discloses a method of centrally managing distributed components (Column 6, lines 31 – 36) and dynamically implementing configuration information related to the distributed components in a distributed enterprise application system (Column 4, lines 17 – 20), the method comprising: storing in a first computer system a central registry database containing configuration information related to distributed components (Column 8, lines 27 – 32) wherein the distributed components are located in remote computer systems (Column 6, lines 6 – 9); determining configuration information changes to be implemented in response to the messaging and data configuration information (Column 10, lines 51 – 65); modifying the central registry database to reflect at least a portion of the configuration changes (Column 9, lines 63 – 66; Column 10, lines 51 – 65); allocating the configuration changes to corresponding distributed components located in remote computer systems; and transferring the configuration changes to the corresponding distributed components wherein the configuration information changes are implemented in the corresponding distributed components (Column 9, lines 48 – 50), but Yu does not explicitly indicate the step of receiving at the first computer system data translation and messaging configuration information from a configuration information input module wherein configuration information is accessed and modified by a user and sent to the first computer system. Nilsen teaches the step of receiving at the first computer system data translation and messaging configuration information from a configuration information input module wherein configuration information is accessed and modified by a user and sent to the first computer system (Column 4, lines 7 – 18). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to use Nilsen's idea for a user interface in a network management system and apply it to Yu's dynamic mapping system for a network management system to allow a user to monitor and perform important functions on the network while it is running, such as add and delete servers (Column 4, lines 21 – 24).

Regarding claim 10, Yu discloses that the configuration information includes, at least one of, load balancing, data mapping, data translation, routing, formatting, scheduling, collaborations, and message identification (Column 9, lines 64 – 66).

Regarding claim 11, Yu discloses that the configuration information includes, at least load balancing (Column 9, lines 64 – 66), data mapping (Column 6, lines 16 – 17), data translation (Column 7, lines 34 – 38), routing (Column 6, lines 11 – 12), formatting (Column 6, lines 59 – 65), scheduling (Column 10, lines 56 – 59), collaborations (Column 7, lines 30 – 32), and message identification (Column 7, lines 5 – 8).

Regarding claim 14, Yu discloses that the central registry database communicates with a plurality of subordinate registry databases, and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 8, lines 10 – 13; Column 8, lines 24 – 26).

Regarding claim 15, Yu discloses that the central registry database communicates with a plurality of duplicate registry databases, wherein the plurality of duplicate registry databases are in communication with the distributed components (Column 8, lines 10 – 13; Column 8, lines 24 – 26).

Claims 7, 13, 20, 29, 36-39, 42-43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu in view of Nieten (5944783).

Regarding claim 42, Yu discloses a method of integrating a plurality of multi-platform applications located on a distributed network comprising: a central database of configuration data (Column 8, lines 27 – 32), wherein the central host module manages and distributes configuration data to the plurality of integration modules (Column 9, lines 63 – 66; Column 10, lines 51 – 65; Column 9, lines 48 – 50), but Yu does not explicitly mention providing a plurality of integration modules corresponding to a plurality of multi-platform applications, wherein the plurality of integration modules perform data-related and messaging activities enabling communication among the plurality of multi-platform applications; and providing a central host module, and also the configuration data includes instructions for allowing communication among the plurality of multi-platform applications. Nieten teaches a distributed system with a central database that provides a plurality of integration modules corresponding to a plurality of multi-platform applications (Column 8, lines 39 – 46), wherein the plurality of integration modules perform data-related and messaging activities enabling communication among the plurality of multi-platform applications (Column 8, lines 60 – 67); and the central host module's the configuration data includes instructions for allowing communication among the plurality of multi-platform applications (Column 9, lines 6 – 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Nieten's teaching in Yu's centrally controlled distributed system in order to allow the server applications to better communicate data (Column 9, lines 17 – 24).

Regarding claim 43, Yu discloses that the central registry database communicates with a plurality of subordinate registry databases, and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 8, lines 10 – 13; Column 8, lines 24 – 26).

Regarding claim 45, Yu discloses a distributed application integration system, including a central host and a plurality of application hosts communicating with a plurality of multi-platform applications, the distributed application integration system comprising: central host means for representing collective configuration information (Column 4, lines 17 – 20); and central host means for allocating portions of the collective configuration information to a plurality of application hosts (Column 6, lines 31 – 36), but Yu does not explicitly indicate that the plurality of application hosts communicate with a plurality of corresponding multi-platform applications and the plurality of application hosts implement the portions of the collective information to enable communication among the plurality of corresponding multi-platform applications. Nieten teaches a plurality of application hosts that communicate with a plurality of corresponding multi-platform applications and the plurality of application hosts (Column 8, lines 60 – 67) implement the portions of the collective information to enable communication among the plurality of corresponding multi-platform applications (Column 9, lines 17 – 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Nieten's teaching in Yu's centrally controlled

distributed system in order to allow the server applications to better communicate data (Column 9, lines 17 – 24).

Regarding claim 29, Yu does not explicitly indicated that a plurality of application connectors wherein the plurality of application connectors facilitate communication between the plurality of application hosts and the corresponding plurality of multi-platform applications. Nieten teaches a plurality of application connectors wherein the plurality of application connectors facilitate communication between the plurality of application hosts and the corresponding plurality of multi-platform applications (Column 8, lines 39 – 46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Nieten's teaching in Yu's centrally controlled distributed system in order to allow the server applications to better communicate data (Column 9, lines 17 – 24).

Regarding claims 7, 13, and 20, Yu does not explicitly indicate that the configuration information includes component and business logic connectivity information. Nieten teaches that the configuration information includes component and business logic connectivity information (Column 9, lines 16 – 24).

Regarding claims 36, 37, 38, and 39, Yu in view of Neiten discloses a distributed system with a plurality of multi-platform applications (Nieten, Column 8, lines 50 – 56). A customer relationship management system, a supply chain management system, an enterprise resource planning system, and a financial management and planning application are examples of applications that would need to be run on a distributed servers and communicate with other applications running on distributed servers. Nieten

teaches the idea of using applications that can communicate with each other to achieve a common goal (Column 10, lines 34 – 37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the systems or objects of a customer relationship management system, a supply chain management system, an enterprise resource planning system, or a financial management and planning application in Yu in view of Neiten because Neiten's system improves their ability to communicate with applications on a distributed network (Column 9, lines 17 – 24).

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nieten in view of Yu as applied to claims 7, 13, 20, 29, 36-39, 42-43, and 45 above, and further in view of Nilsen.

Regarding claim 1, Nieten discloses a scalable enterprise application collaboration system (Column 8, lines 39 - 41) that enables the management (Column 8, lines 44 – 46; lines 56 – 60) of a plurality of reusable distributed objects (Column 8, lines 39 – 43; Column 9, lines 25 - 33) running in a heterogeneous application environment (Column 11, lines 26 – 33; Column 5, lines 63 - 67), the scalable enterprise application collaboration system comprising: a central host that is configured to manage the plurality of reusable distributed objects (Column 8, lines 44 – 46; lines 56 – 60), the plurality of reusable distributed objects, and a plurality of heterogeneous applications, wherein the plurality of heterogeneous applications are configured to communicate via the plurality of reusable distributed objects in accordance with the configuration data (Column 11, lines 63 – 66; Column 8, lines 60 – 67), but Nieten

Art Unit: 2155

teaches that the objects should have a knowledge of the configuration of the network (Column 11, lines 63 – 66), but does not explicitly indicate that the central host alerts the distributed objects that new changes have been made to the communicate to the objects configuration changes it makes and that the objects are in communication with the central host to receive configuration change alerts and to download configuration data from the central host's central registry system. Yu discloses a central host that updates a production map and alerts and communicates to objects the new configuration data (Column 9, lines 48 – 50) and that the distributed objects are in communication with the central host to receive configuration change alerts and to download configuration data from the central host's central registry system (Column 9, lines 48 – 50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Yu's teaching of updating the distributed objects in Neiten's enterprise system in order to be sure that the agents have all the correct information they need to function properly (Neiten, Column 11, line 63 – Column 12, line 13). Neiten's system also lacks mention of a fault tolerant central registry system having a first central registry and a redundant central registry, and if the first central registry is unavailable, the redundant central registry is used. Nilsen teaches a fault tolerant central registry system having a first central registry and a redundant central registry (Column 3, lines 32 – 36), and if the first central registry is unavailable, the redundant central registry is used (Column 3, lines 34 – 37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Nilsen's teaching of redundant registry in Neiten's distributed object system to ensure

the configuration data is available to agents even if an fault takes down the main registry (Column 1, lines 46 – 53).

Claims 6, 12, 19, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu in view of Suovieri (6445919).

Regarding claim 44, Yu discloses a method of implementing a distributed application communication system between a first independent application and a second independent application (Column 6, lines 31 – 36), but does not explicitly indicate the idea of creating a representation of a first set of data that is sent from a first independent application to a data translation module, translated into a second set of data, and forwarded to a second independent application; converting the representation into sets of data translation and messaging instructions; and distributing the sets of data translation and messaging instructions to a first data translation implementation module communicating with a first independent application and a second data translation implementation module communicating with a second independent application, wherein the first data translation implementation module communicates with the second data translation implementation module in accordance with the sets of data translation and messaging instructions. Souvieri teaches the idea of creating a representation of a first set of data that is sent from a first independent application to a data translation module, translated into a second set of data, and forwarded to a second independent application (Column 3, lines 34 – 45); converting the representation into sets of data translation and messaging instructions; and distributing the sets of data translation and messaging instructions to a first data translation implementation module communicating with a first

independent application and a second data translation implementation module communicating with a second independent application, wherein the first data translation implementation module communicates with the second data translation implementation module in accordance with the sets of data translation and messaging instructions (Column 2, line 61 – Column 3, line 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Souvieri's ideas of data translation on Yu's distributed system in order to allow network elements of different types to be controlled by the same management system (Column 2, lines 45 – 48).

Regarding claims 6, 12, and 19, Yu does not explicitly indicate that the configuration information includes data translation and messaging information. Souvieri teaches configuration information that includes data translation and messaging information (Column 2, line 61 – Column 3, line 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Souvieri's ideas of data translation on Yu's distributed system in order to allow network elements of different types to be controlled by the same management system (Column 2, lines 45 – 48).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No 5513343 issued to Sakano.

U. S. Patent No 5933601 issued to Fanshier.

U. S. Patent No 5841972 issued to Fanshier.

U. S. Patent No 5751962 issued to Fanshier.

U. S. Patent No 6466965 issued to Chessell.

U. S. Patent No 6003083 issued to Davies.

U. S. Patent No 6401119 issued to Fuss.

U. S. Patent No 6510466 issued to Cox.

U. S. Patent No 6236999 issued to Jacobs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

KB
December 3, 2003


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER